

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

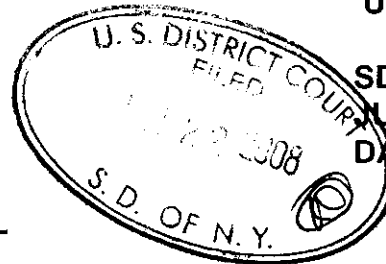
Document # 10

BOOKARD

USCA NO. _____

-v-

NEW YORK CITY POLICE DEPARTMENT et al



SDNY NO. 07cv5854

JUDGE: DAB

DATE: 1/22/2008

INDEX TO THE RECORD ON APPEAL

PREPARED BY (NAME) Nezam D.
FIRM APPEALS SECTION
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DISTRICT COURT DOCKET ENTRIES -----

DOCUMENTS DOC#

Clerk's Certificate

See Attached List of Numbered Documents

Only Circled Documents Included

(☒) Original Record

(☐) Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A
for the Second Circuit on the 22nd Day of January, 2008.

**United States District Court for
the Southern District of New York**

BOOKARD

-V-

NEW YORK CITY POLICE DEPARTMENT et al

Date: 1/22/2008

U.S.C.A. # _____

U.S.D.C. # 07cv5854

D.C. JUDGE DAB

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 9, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 22nd Day of January In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232nd year.

J. Michael McMahon, Clerk

By _____

Deputy Clerk

APPEAL, CLOSED, PRO-SE

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:07-cv-05854-DAB
Internal Use Only

Bookard v. New York City Police Department et al
Assigned to: Judge Deborah A. Batts
Demand: \$1,000,000
Cause: 42:1983 Civil Rights Act

Date Filed: 06/20/2007
Date Terminated: 12/21/2007
Jury Demand: Plaintiff
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Date Filed	#	Docket Text
06/20/2007	<u>1</u>	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Lawrence S. Bookard.(mbe) (Entered: 07/03/2007)
06/20/2007	<u>2</u>	COMPLAINT against New York City Police Department, The City of New York. Document filed by Lawrence S. Bookard.(mbe) (Entered: 07/03/2007)
06/20/2007		Magistrate Judge James C. Francis is so designated. (mbe) (Entered: 07/03/2007)
06/20/2007	<u>3</u>	ORDER OF DISMISSAL The Clerk of Court is directed to assign a docket number to this matter solely for the purpose of this order. The complaint is dismissed for the following reasons. Plaintiff was instructed to submit a completed Prisoner Authorization notifying plaintiff of the requirements for filing a civil action under PLRA. Plaintiff was instructed to submit a completed Prisoner Authorization form to this court, thereby, directing the facility to deduct the filing fee from plaintiff's prison account in installments and to send to this court certified copies of plaintiff's prison account statements for the past six months. 28 U.S.C. 1915(a)(2), (b). Plaintiff was informed that the court will dismiss the instant action if plaintiff failed to submit the completed Authorization form within 45 days. Since plaintiff has failed to submit a completed Authorization form to the court as instructed, this action is dismissed without prejudice. I certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Deborah A. Batts on 6/20/2007) (mbe) (Entered: 07/03/2007)
06/20/2007	<u>4</u>	JUDGMENT. Ordered, Adjudged and Decreed: That the complaint be and is hereby dismissed without prejudice for failure to comply with the Prison Litigation Act of 1995. The court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order will not be taken in good faith. (Signed by Judge Deborah A. Batts on 6/20/2007) (mbe) (Entered: 07/03/2007)
09/27/2007	<u>5</u>	ORDER in light of plaintiffs claim that he never received the Court s Prisoner Authorization form, the Court s judgment dated June 20, 2007 is hereby vacated and the Clerk of Court is directed to reopen this action for further preceding. Plaintiff is directed to complete and execute the attached Authorization Form and submit it to the Court within 45 days of this order. Once submitted, the Authorization Form and the complaint shall be reviewed for compliance and substantive sufficiency and then, if proper, the case shall be reassigned to a district judge in accordance with the procedures of the Clerks office. I certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. SO ORDERED (Signed by Judge Kimba M. Wood on 9/27/2007) (jmi) (Entered: 09/27/2007)
10/10/2007	<u>6</u>	Prisoner Authorization. Notice is hereby given that this action will be dismissed unless plaintiff completes and returns this authorization form to this court within forty-five days from the date of this notice. (djv) (Entered: 10/17/2007)
12/21/2007	<u>7</u>	JUDGMENT that the complaint is dismissed; the Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's Order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 12/21/07) (ml) (Entered: 12/26/2007)
12/21/2007	<u>8</u>	ORDER OF DISMISSAL: For reasons further set forth in said order, I grant plaintiff's request to proceed in forma pauperis, but dismiss the complaint pursuant to 28 USC 1915(e)(2)(B)(ii), for failure to state a claim on which relief may be granted. I certify pursuant to 28 USC 1915(a)(3) that any appeal from this Order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 12/21/07) (db) (Entered: 12/26/2007)
01/15/2008	<u>9</u>	NOTICE OF APPEAL from <u>8</u> Order of Dismissal, <u>7</u> Judgment. Document filed by Lawrence S. Bookard. Copies sent to attorney(s) of record: Corporation Counsel. (tp) (Entered: 01/22/2008)
01/15/2008		Appeal Remark as to <u>9</u> Notice of Appeal filed by Lawrence S. Bookard. \$455.00 APPEAL FEE DUE. IFP REVOKED 12/21/07. (tp) (Entered: 01/22/2008)
01/22/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>9</u> Notice of Appeal. (tp) (Entered: 01/22/2008)
01/22/2008		Transmission of Notice of Appeal to the District Judge re: <u>9</u> Notice of Appeal. (tp) (Entered: 01/22/2008)